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United States Bankruptcy Court Western District of North Carolina							Voluntary Petition
Name of Debtor (if individual, enter Last, First, Middle):  Ledford Tire & Trucking, Inc.				of Joint De	ebtor (Spouse	) (Last, First	, Middle):
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):					used by the J maiden, and		in the last 8 years ):
Last four digits of Soc. Sec. or Individual-Taxpa (if more than one, state all)  56-1388004	yer I.D. (ITIN) No./0	Complete EIN	Last for	our digits of than one, state	f Soc. Sec. or	Individual-	Faxpayer I.D. (ITIN) No./Complete EIN
Street Address of Debtor (No. and Street, City, a 5208 East US Highway 19E Burnsville, NC	and State):	ZIP Code	Street	Address of	Joint Debtor	(No. and Str	reet, City, and State):  ZIP Code
		28714					
County of Residence or of the Principal Place of Yancey			Count	y of Reside	ence or of the	Principal Pla	ace of Business:
Mailing Address of Debtor (if different from stre	eet address):		Mailir	g Address	of Joint Debt	or (if differe	nt from street address):
	Г	ZIP Code					ZIP Code
Location of Principal Assets of Business Debtor (if different from street address above):							
Type of Debtor (Form of Organization) (Check one box)	1	of Business					otcy Code Under Which led (Check one box)
<ul> <li>☐ Individual (includes Joint Debtors)         See Exhibit D on page 2 of this form.</li> <li>☐ Corporation (includes LLC and LLP)</li> <li>☐ Partnership</li> <li>☐ Other (If debtor is not one of the above entities, check this box and state type of entity below.)</li> </ul>	bebtors)  form.  and LLP)  he above entities, entity below.)  □ Health Care Business □ Single Asset Real Estate as de in 11 U.S.C. § 101 (51B) □ Railroad □ Stockbroker □ Commodity Broker □ Clearing Bank			☐ Chapt ☐ Chapt ☐ Chapt ☐ Chapt ☐ Chapt	er 7 er 9 er 11 er 12	☐ Cl of ☐ Cl of	hapter 15 Petition for Recognition a Foreign Main Proceeding hapter 15 Petition for Recognition a Foreign Nonmain Proceeding
Chapter 15 Debtors Country of debtor's center of main interests:  Each country in which a foreign proceeding by, regarding, or against debtor is pending:		the United State	(Check one box)  Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as business debts.  "incurred by an individual primarily for a personal, family, or household purpose."				
□ Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A.  □ Filing Fee waiver requested (applicable to chapter 7 individuals only). Must Check all a □ □ A pl.			btor is a si btor is not btor's agg- less than applicable plan is bein	a small busing regate nonco \$2,343,300 (as boxes:	debtor as definess debtor as debtor as debtor as dentingent liquida amount subject this petition.	efined in 11 United debts (exc to adjustment	
Statistical/Administrative Information				e with 11 U.S	S.C. § 1126(b).	THIS	SPACE IS FOR COURT USE ONLY
■ Debtor estimates that funds will be available □ Debtor estimates that, after any exempt prop there will be no funds available for distributi	erty is excluded and	administrativ		es paid,			
Estimated Number of Creditors	1,000- 5,001- 5,000 10,000	□ □ □ 10,001- 2	25,001- 60,000	50,001- 100,000	OVER 100,000		
\$0 to \$50,001 to \$100,001 to \$500,001 \$50,000 \$100,000 \$500,000 to \$1	\$1,000,001 \$10,000,001 to \$10 to \$50 million	to \$100 to	] :100,000,001 o \$500 nillion	\$500,000,001 to \$1 billion			
\$0 to \$50,001 to \$100,001 to \$500,001	\$1,000,001 \$10,000,001 to \$50	\$50,000,001 \$	3100,000,001 o \$500	\$500,000,001 to \$1 billion	More than \$1 billion		

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**B1** (Official Form 1)(12/11) Page 2 Name of Debtor(s): Voluntary Petition Ledford Tire & Trucking, Inc. (This page must be completed and filed in every case) All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet) Location Case Number: Date Filed: Where Filed: - None -Location Case Number: Date Filed: Where Filed: Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet) Name of Debtor: Case Number: Date Filed: - None -District: Relationship: Judge: Exhibit B Exhibit A (To be completed if debtor is an individual whose debts are primarily consumer debts.) (To be completed if debtor is required to file periodic reports (e.g., I, the attorney for the petitioner named in the foregoing petition, declare that I forms 10K and 10Q) with the Securities and Exchange Commission have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 under each such chapter. I further certify that I delivered to the debtor the notice and is requesting relief under chapter 11.) required by 11 U.S.C. §342(b). ☐ Exhibit A is attached and made a part of this petition. Signature of Attorney for Debtor(s) (Date) Exhibit C Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? Yes, and Exhibit C is attached and made a part of this petition. No. Exhibit D (To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) ☐ Exhibit D completed and signed by the debtor is attached and made a part of this petition. If this is a joint petition: ☐ Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition. Information Regarding the Debtor - Venue (Check any applicable box) Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District. Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes) Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.) (Name of landlord that obtained judgment) (Address of landlord) Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition. Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(1)).

Page 3 of 34 Document **B1** (Official Form 1)(12/11)

# **Voluntary Petition**

(This page must be completed and filed in every case)

#### Signatures

#### Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.

If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

Signature of Debtor

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

#### Signature of Attorney\*

#### X /s/ D. Rodney Kight, Jr.

Signature of Attorney for Debtor(s)

#### D. Rodney Kight, Jr. 26453

Printed Name of Attorney for Debtor(s)

#### **Kight Law Office**

Firm Name

7 Orchard Street Suite 100 Asheville, NC 28801

Address

#### Email: info@kightlaw.com

(828) 255-9881 Fax: (828) 255-9886

Telephone Number

#### February 9, 2012

Date

\*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

#### Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

#### X /s/ Gene Ledford

Signature of Authorized Individual

#### Gene Ledford

Printed Name of Authorized Individual

#### President

Title of Authorized Individual

#### February 9, 2012

Date

#### Signature of a Foreign Representative

Page 3

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

Name of Debtor(s):

- ☐ I request relief in accordance with chapter 15 of title 11. United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.
- ☐ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

Signature of Foreign Representative

Ledford Tire & Trucking, Inc.

Printed Name of Foreign Representative

Date

#### Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social-Security number (If the bankrutpcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.)(Required by 11 U.S.C. § 110.)

<b>▼</b> 7	

Date

Address

Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. §110; 18 U.S.C. §156.

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**B4** (Official Form 4) (12/07)

# **United States Bankruptcy Court** Western District of North Carolina

In re	Ledford Tire & Trucking, Inc.			
		Debtor(s)	Chapter	11

#### LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

Following is the list of the debtor's creditors holding the 20 largest unsecured claims. The list is prepared in accordance with Fed. R. Bankr. P. 1007(d) for filing in this chapter 11 [or chapter 9] case. The list does not include (1) persons who come within the definition of "insider" set forth in 11 U.S.C. § 101, or (2) secured creditors unless the value of the collateral is such that the unsecured deficiency places the creditor among the holders of the 20 largest unsecured claims. If a minor child is one of the creditors holding the 20 largest unsecured claims, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

(1)	(2)	(3)	(4)	(5)
Name of creditor and complete mailing address including zip code	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]
Bud's Auto Main Street Burnsville, NC 28714	Bud's Auto Main Street Burnsville, NC 28714	Commercial debt- parts		2,000.00
Centura Bank 134 N. Church Street Rocky Mount, NC 27804	Centura Bank 134 N. Church Street Rocky Mount, NC 27804	Commercial debt- unsecured line of credit		8,000.00
Comdata Network 5301 Maryland Way Brentwood, TN 37027	Comdata Network 5301 Maryland Way Brentwood, TN 37027	Commercial debt- fuel/ road repairs		7,000.00
Goodyear P.O. Box 9025 Des Moines, IA 50368	Goodyear P.O. Box 9025 Des Moines, IA 50368	Commercial debt- tires		10,000.00
IRS P.O. Box 7346 Philadelphia, PA 19101-7346	IRS P.O. Box 7346 Philadelphia, PA 19101-7346	Employment tax liabilities/ 941 for years 2009, 2010, and 2011		100,000.00
North Carolina Department of Revenue Bankruptcy Unit P.O. Box 1167 Raleigh, NC 27602	North Carolina Department of Revenue Bankruptcy Unit P.O. Box 1167 Raleigh, NC 27602	Payroll tax liability for tax years 2010 and 2011		5,150.79
TD Bank 200 College Street Asheville, NC 28801	TD Bank 200 College Street Asheville, NC 28801	Trailers used for hauling freight. The following are encumbered: (5) 2007 Walbash (\$50,000)		487,180.31 (50,000.00 secured)
Truck Pro, Inc. 1610 Century Center Parkway, Suite 107 Memphis, TN 38134	Truck Pro, Inc. 1610 Century Center Parkway, Suite 107 Memphis, TN 38134	Commercial debt- parts		1,800.00

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B4 (Offic	cial Form 4) (12/07) - Cont.	
In re	Ledford Tire & Trucking, Inc.	Case No.
	Debtor(s)	

# LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS

(Continuation Sheet)

(1)	(2)	(3)	(4)	(5)
Name of creditor and complete mailing address including zip code	Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted	Nature of claim (trade debt, bank loan, government contract, etc.)	Indicate if claim is contingent, unliquidated, disputed, or subject to setoff	Amount of claim [if secured, also state value of security]
United Community Bank 291 E US Highway 19 Burnsville, NC 28714	United Community Bank 291 E US Highway 19 Burnsville, NC 28714	Commercial debt. This note is secured by real estate owned by the debtor's principal, Gene Ledford.		200,000.00
Yancey County Tax Collector 110 Town Square, Room 1 Burnsville, NC 28714	Yancey County Tax Collector 110 Town Square, Room 1 Burnsville, NC 28714	County property taxes for tax years 2010 and 2011		2,500.00
	DECLADATION UNDER DEN			

# DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF A CORPORATION OR PARTNERSHIP

I, the President of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

Date February 9, 2012	Signature	/s/ Gene Ledford
		Gene Ledford
		President

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. §§ 152 and 3571.

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B6 Summary (Official Form 6 - Summary) (12/07)

# **United States Bankruptcy Court** Western District of North Carolina

In re	Ledford Tire & Trucking, Inc.		Case No.	
-		Debtor ,		
			Chapter	11
			-	

# **SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors must also complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	Yes	1	0.00		
B - Personal Property	Yes	4	245,100.00		
C - Property Claimed as Exempt	No	0			
D - Creditors Holding Secured Claims	Yes	1		487,180.31	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	Yes	2		107,650.79	
F - Creditors Holding Unsecured Nonpriority Claims	Yes	2		228,800.00	
G - Executory Contracts and Unexpired Leases	Yes	1			
H - Codebtors	Yes	1			
I - Current Income of Individual Debtor(s)	No	0			N/A
J - Current Expenditures of Individual Debtor(s)	No	0			N/A
Total Number of Sheets of ALL Schedu	ıles	12			
	To	otal Assets	245,100.00		
			Total Liabilities	823,631.10	

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Form 6 - Statistical Summary (12/07)

Ledford Tire & Trucking, Inc.		Case No	
Debt	tor ,	Charter	44
		Chapter	11
STATISTICAL SUMMARY OF CERTAIN LIAB	ILITIES AN	D RELATED DAT	ΓA (28 U.S.C. § 159)
f you are an individual debtor whose debts are primarily consumer debts, case under chapter 7, 11 or 13, you must report all information requested	as defined in § 1 d below.	01(8) of the Bankruptcy C	Code (11 U.S.C.§ 101(8)), fil
☐ Check this box if you are an individual debtor whose debts are NO report any information here.	T primarily consu	nmer debts. You are not rec	quired to
This information is for statistical purposes only under 28 U.S.C. § 159 Summarize the following types of liabilities, as reported in the Schedu		em.	
Type of Liability	Amount		
Domestic Support Obligations (from Schedule E)			
Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)			
Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed)			
Student Loan Obligations (from Schedule F)			
Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E			
Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)			
TOTAL			
State the following:			
Average Income (from Schedule I, Line 16)			
Average Expenses (from Schedule J, Line 18)			
Current Monthly Income (from Form 22A Line 12; OR, Form 22B Line 11; OR, Form 22C Line 20)			
State the following:			
1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column			
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column			
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column			
4. Total from Schedule F			
5. Total of non-priority unsecured debt (sum of 1, 3, and 4)			

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B6A (Official Form 6A) (12/07)

т.	Ladford The O Tourship of the	C N	
In re	Ledford Tire & Trucking, Inc.	, Case No	
		Debtor	

#### **SCHEDULE A - REAL PROPERTY**

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim." If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

Description and Location of Property

Nature of Debtor's Interest in Property

Nature of Debtor's Property

Nature of Debtor's Interest in Property Property, without Claim or Exemption

Nature of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption

None

Sub-Total > **0.00** (Total of this page)

Total > **0.00** 

(Report also on Summary of Schedules)

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B6B (Official Form 6B) (12/07)

In re	Ledford Tire & Trucking, Inc.		Case No	
•		Debtor		

#### SCHEDULE B - PERSONAL PROPERTY

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

	Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property without Deducting any Secured Claim or Exemption
1.	Cash on hand	X			
2.	Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.		Citizens Bank ness Checking Account #4119	-	1,600.00
3.	Security deposits with public utilities, telephone companies, landlords, and others.	X			
4.	Household goods and furnishings, including audio, video, and computer equipment.	X			
5.	Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.	X			
6.	Wearing apparel.	X			
7.	Furs and jewelry.	X			
8.	Firearms and sports, photographic, and other hobby equipment.	X			
9.	Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	X			
10.	Annuities. Itemize and name each issuer.	X			

3 continuation sheets attached to the Schedule of Personal Property

1,600.00

Sub-Total >

(Total of this page)

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 $B6B\ (Official\ Form\ 6B)\ (12/07)$  - Cont.

In re	Ledford Tire & Trucking, Inc.	Case No.
		,

Debtor

# **SCHEDULE B - PERSONAL PROPERTY**

(Continuation Sheet)

	Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
11.	Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)	Х			
12.	Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.	X			
13.	Stock and interests in incorporated and unincorporated businesses. Itemize.	X			
14.	Interests in partnerships or joint ventures. Itemize.	X			
15.	Government and corporate bonds and other negotiable and nonnegotiable instruments.	X			
16.	Accounts receivable.		Account receivable due from Ingles Grocery	-	5,500.00
			Account receivable due from Beck Aluminum	-	7,500.00
17.	Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	X			
18.	Other liquidated debts owed to debtor including tax refunds. Give particulars.	X			
19.	Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	X			
20.	Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X			
				Sub-Tot	al > <b>13,000.00</b>

Sheet <u>1</u> of <u>3</u> continuation sheets attached to the Schedule of Personal Property

(Total of this page)

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 $B6B\ (Official\ Form\ 6B)\ (12/07)$  - Cont.

In re	Ledford Tire & Trucking, Inc.	Case No.
		,

Debtor

# **SCHEDULE B - PERSONAL PROPERTY**

(Continuation Sheet)

	Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
21.	Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	х			
22.	Patents, copyrights, and other intellectual property. Give particulars.	X			
23.	Licenses, franchises, and other general intangibles. Give particulars.	X			
24.	Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	X			
25.	Automobiles, trucks, trailers, and other vehicles and accessories.		Semi-trucks used for hauling freight. The following are unencumbered: 1999 International (\$7000) 2004 Volvo (\$7000) 2006 Freightliner (\$12,000) Trailers used for hauling freight. The following are unencumbered: (2) 2000 Trailmobli (\$18,000) (4) 1999 Utility (\$28,000) (1) 2003 Walbash (\$8000) (1) 2006 Walbash (\$10,000) (3) 1998 Utility (\$21,000)	-	111,000.00
			Trailers used for hauling freight. The following are encumbered: (5) 2007 Walbash (\$50,000)	-	50,000.00
			Semi-trucks used for hauling freight. The following may be encumbered by a lien in favor of TD Bank; however, the Debtor is unsure of the lien status as of the filing date. (4) 2003 Kenworth (\$60,000) (1) 2005 Kenworth (\$8,000)	-	68,000.00
26.	Boats, motors, and accessories.	X			
27.	Aircraft and accessories.	X			
			(Total	Sub-Tota of this page)	al > <b>229,000.00</b>

Sheet <u>2</u> of <u>3</u> continuation sheets attached to the Schedule of Personal Property

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 $B6B\ (Official\ Form\ 6B)\ (12/07)$  - Cont.

In re	Ledford Tire & Trucking, Inc.	Case No	Case No.
•		, Debtor	<b>_</b> ;

# **SCHEDULE B - PERSONAL PROPERTY**

(Continuation Sheet)

	Type of Property	N O Description and Location of Property E	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
28.	Office equipment, furnishings, and supplies.	Desk, computer, printer, fax machine, standard office furnishings	-	500.00
29.	Machinery, fixtures, equipment, and supplies used in business.	Air compressor, air wrenches, other small tools	-	1,000.00
30.	Inventory.	x		
31.	Animals.	x		
32.	Crops - growing or harvested. Give particulars.	x		
33.	Farming equipment and implements.	x		
34.	Farm supplies, chemicals, and feed.	x		
35.	Other personal property of any kind not already listed. Itemize.	X		

Sub-Total > 1,500.00 (Total of this page)

Total > **245,100.00** 

Sheet <u>3</u> of <u>3</u> continuation sheets attached to the Schedule of Personal Property

(Report also on Summary of Schedules)

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B6D (Official Form 6D) (12/07)

In re	Ledford Tire & Trucking, Inc.	Case No.	
		Debtor	

### SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is a creditor, the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). If all secured

guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor", include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "Husband, Wife, Joint, or Community".

If the claim is contingent, place an "X" in the column labeled "Contingent". If the claim is unliquidated, place an "X" in the column labeled "Unliquidated". If the claim is disputed, place an "X" in the column labeled "Unliquidated". (You may need to place an "X" in more than one of these three columns.)

Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s)" on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion" on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	СОПШВНОК	H W J C	sband, Wife, Joint, or Community  DATE CLAIM WAS INCURRED,  NATURE OF LIEN, AND  DESCRIPTION AND VALUE  OF PROPERTY  SUBJECT TO LIEN	G	DD_CD_LZC	ローのPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
Account No.			ucc	]	DATED			
TD Bank 200 College Street Asheville, NC 28801	x	-	Trailers used for hauling freight. The following are encumbered: (5) 2007 Walbash (\$50,000)		D			
			Value \$ 50,000.00	1			487,180.31	437,180.31
Account No.			Value \$	-				
Account No.			Value \$	-				
Trecount No.			Value \$					
continuation sheets attached			(Total of t	Subto			487,180.31	437,180.31
			(Report on Summary of Sc	To hedu		- 1	487,180.31	437,180.31

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B6E (Official Form 6E) (4/10)

•		
In re	Ledford Tire & Trucking, Inc.	Case No
-		Debtor ,

#### SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be

<sup>\*</sup> Amount subject to adjustment on 4/01/13, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

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 $B6E\ (Official\ Form\ 6E)\ (4/10)$  - Cont.

In re	Ledford Tire & Trucking, Inc.	,	Case No.	
		Debtor		

### SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

(Continuation Sheet)

Taxes and Certain Other Debts Owed to Governmental Units

TYPE OF PRIORITY Husband, Wife, Joint, or Community CODEBTOR AMOUNT NOT ENTITLED TO PRIORITY, IF ANY CREDITOR'S NAME, AND MAILING ADDRESS LIQUIDATED S P U T Н AMOUNT DATE CLAIM WAS INCURRED INCLUDING ZIP CODE, W AND CONSIDERATION FOR CLAIM INGENT OF CLAIM AMOUNT ENTITLED TO PRIORITY C AND ACCOUNT NUMBER (See instructions.) Employment tax liabilities/ 941 for years Account No. 2009, 2010, and 2011 **IRS** 0.00 P.O. Box 7346 Philadelphia, PA 19101-7346 100,000.00 100,000.00 Payroll tax liability for tax years 2010 Account No. and 2011 North Carolina Department of 0.00 Revenue **Bankruptcy Unit** P.O. Box 1167 Raleigh, NC 27602 5.150.79 5.150.79 Notice Account No. **US Attorney** 0.00 100 Otis Street Room 233 Asheville, NC 28801 0.00 0.00 County property taxes for tax years 2010 Account No. and 2011 **Yancey County Tax Collector** 0.00 110 Town Square, Room 1 Burnsville, NC 28714 2,500.00 2,500.00 Account No. Subtotal 0.00 Sheet <u>1</u> of <u>1</u> continuation sheets attached to (Total of this page) 107,650.79 Schedule of Creditors Holding Unsecured Priority Claims 107,650.79 0.00 (Report on Summary of Schedules) 107,650.79 107,650.79 Case 12-10115 Doc 1 Filed 02/09/12 Entered 02/09/12 20:12:40 Desc Main Document Page 16 of 34

B6F (Official Form 6F) (12/07)

In re	Ledford Tire & Trucking, Inc.		Case No.	
_		Debtor	-,	

### SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

☐ Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

— Check this con it decict has no creation nothing unseed			ins to report on and senedare 11			_	_	
CREDITOR'S NAME,	C	Ηι	usband, Wife, Joint, or Community	C	U	1		
MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	O D E B T O R	J H	CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETORE SO STATE	CONTINGEN	QU	T F	S P U T E	AMOUNT OF CLAIM
Account No.			Commercial debt- parts	T N	D A T E D		Ī	
Bud's Auto Main Street Burnsville, NC 28714		-						2,000.00
Account No.		T	Commercial debt- unsecured line of credit	$\dagger$	T	T	†	
Centura Bank 134 N. Church Street Rocky Mount, NC 27804		-						8,000.00
Account No.	T	T	Commercial debt- fuel/ road repairs	$\dagger$	T	t	†	
Comdata Network 5301 Maryland Way Brentwood, TN 37027		-						
		L		$\perp$	L	L	╛	7,000.00
Account No.  Goodyear P.O. Box 9025 Des Moines, IA 50368		_	Commercial debt- tires					10,000.00
continuation sheets attached			(Total of	Subt			)	27,000.00

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B6F (Official Form 6F) (12/07) - Cont.

In re	Ledford Tire & Trucking, Inc.	Ca	se No
	<del>_</del>	Debtor	

# SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS (Continuation Sheet)

	1 -			<del>-</del>	1	1 -		
CREDITOR'S NAME,	C	Hu	ısband, Wife, Joint, or Community	10	U N	ļ:	7	
MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	C A M	IS SUBJECT TO SETOFF, SO STATE.	EN	UNLIQUIDA	FLTE		AMOUNT OF CLAIM
Account No.			Commercial debt- parts	T	E	ı		
Truck Pro, Inc. 1610 Century Center Parkway, Suite 107 Memphis, TN 38134		-			D			1,800.00
Account No.			Commercial debt. This note is secured by real	T	T	T	1	
United Community Bank 291 E US Highway 19 Burnsville, NC 28714	x	-	estate owned by the debtor's principal, Gene Ledford.					
								200,000.00
Account No.								
Account No.	-							
Sheet no. <u>1</u> of <u>1</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims			(Total of t	Sub his				201,800.00
The state of the s			(Report on Summary of So	7	Γota	al	ľ	228,800.00
			(report on Buninary of Be			-5)	L	

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B6G (Official Form 6G) (12/07)

In re	Ledford Tire & Trucking, Inc.	Case No	
		Debtor	

#### SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser", "Agent", etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

☐ Check this box if debtor has no executory contracts or unexpired leases.

Name and Mailing Address, Including Zip Code, of Other Parties to Lease or Contract

Description of Contract or Lease and Nature of Debtor's Interest.

State whether lease is for nonresidential real property.

State contract number of any government contract.

Caterpillar Financial Services

2120 West End Avenue

Nashville, TN 37203-5341

Lease of semi-trucks used for hauling freight: (4)
2007 Kenworth. Payments are \$5000 per month for the lease term.

Caterpillar Financial Services P.O. Box 905561 Charlotte, NC 28290-5561

Gene & Brenda Ledford 5208 East US Hwy 19E Burnsville, NC 28714 Lease of commercial property: Debtor leases the property located at 5208 East US Highway 19-, Burnsville, Yancey County, NC 28714 from the

Ledfords, which it uses as its business premises/ operations.

Notice.

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B6H (Official Form 6H) (12/07)

In re	Ledford Tire & Trucking, Inc.	Case No.	
-		Dobtor,	
		Debtor	

#### **SCHEDULE H - CODEBTORS**

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Check this box if debtor has no codebtors.

Burnsville, NC 28714

NAME AND ADDRESS OF CODEBTOR NAME AND ADDRESS OF CREDITOR **United Community Bank** Gene and Brenda Ledford 974 Bear Wallow Road 291 E US Highway 19 Burnsville, NC 28714 Burnsville, NC 28714 Gene and Brenda Ledford TD Bank 974 Bear Wallow Road 200 College Street Asheville, NC 28801

Document

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B6 Declaration (Official Form 6 - Declaration). (12/07)

# **United States Bankruptcy Court Western District of North Carolina**

In re	Ledford Tire & Trucking, Inc.		Case No.			
		Debtor(s)	Chapter	11		
	DECLARATION CONCER					
	DECLARATION UNDER PENALTY OF PERJUR	Y ON BEHALF OF CORP	ORATION (	OR PARTNERSHIP		
I, the President of the corporation named as debtor in this case, declare under penalty of perjur read the foregoing summary and schedules, consisting of sheets, and that they are true and corre of my knowledge, information, and belief.						
Date	February 9, 2012 Signature					
		Gene Ledford				

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. §§ 152 and 3571.

**President** 

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B7 (Official Form 7) (04/10)

# **United States Bankruptcy Court** Western District of North Carolina

In re	Ledford Tire & Trucking, Inc.		Case No.	
		Debtor(s)	Chapter	11

### STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. To indicate payments, transfers and the like to minor children, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 - 25. **If the answer to an applicable question is "None," mark the box labeled "None."** If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

#### **DEFINITIONS**

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

"Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101.

#### 1. Income from employment or operation of business

None

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the **two years** immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT SOURCE \$2,805,835.70 2009 Gross receipts \$2,464,025.88 2010 Gross receipts \$1,200,000.00 2011 Gross receipts (approx) \$20,000.00 2012 Gross receipts (approx)

#### 2. Income other than from employment or operation of business

None

State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the **two years** immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

**AMOUNT** 

**SOURCE** 

#### 3. Payments to creditors

None

#### Complete a. or b., as appropriate, and c.

a. *Individual or joint debtor(s) with primarily consumer debts.* List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within **90 days** immediately preceding the commencement of this case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$600. Indicate with an (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR DATES OF PAYMENTS

AMOUNT PAID

AMOUNT STILL OWING

None

b. Debtor whose debts are not primarily consumer debts: List each payment or other transfer to any creditor made within **90 days** immediately preceding the commencement of the case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$5,850\*. If the debtor is an individual, indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments and other transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR Bud's Auto Main Street Burnsville, NC 28714	DATES OF PAYMENTS/ TRANSFERS Past 90 days	AMOUNT PAID OR VALUE OF TRANSFERS \$1,500.00	AMOUNT STILL OWING \$2,000.00
United Community Bank 291 E US Highway 19 Burnsville, NC 28714	Past 90 days	\$6,000.00	\$200,000.00

None

c. *All debtors:* List all payments made within **one year** immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR AND RELATIONSHIP TO DEBTOR

DATE OF PAYMENT

AMOUNT PAID

AMOUNT STILL OWING

<sup>\*</sup> Amount subject to adjustment on 4/01/13, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

#### 4. Suits and administrative proceedings, executions, garnishments and attachments

None

a. List all suits and administrative proceedings to which the debtor is or was a party within **one year** immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CAPTION OF SUIT AND CASE NUMBER Case No. 10 CVS 303 NATURE OF PROCEEDING Civil

COURT OR AGENCY AND LOCATION In the General Court of Justice STATUS OR DISPOSITION Judgment

Superior Court Division State of North Carolina County of Buncombe

TD Bank, N.A., Successor to Carolina First Bank, Plaintiff vs.

Ledford Tire & Trucking, Inc., Gene Ledford and Brenda Ledford, Defendants

None

b. Describe all property that has been attached, garnished or seized under any legal or equitable process within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON FOR WHOSE BENEFIT PROPERTY WAS SEIZED

DATE OF SEIZURE

DESCRIPTION AND VALUE OF PROPERTY

#### 5. Repossessions, foreclosures and returns

None

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR OR SELLER DATE OF REPOSSESSION, FORECLOSURE SALE, TRANSFER OR RETURN

DESCRIPTION AND VALUE OF PROPERTY

#### 6. Assignments and receiverships

None

a. Describe any assignment of property for the benefit of creditors made within **120 days** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF ASSIGNEE

DATE OF ASSIGNMENT

TERMS OF ASSIGNMENT OR SETTLEMENT

None b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within **one year** immediately

preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CUSTODIAN NAME AND LOCATION OF COURT CASE TITLE & NUMBER

DATE OF ORDER DESCRIPTION AND VALUE OF PROPERTY

#### 7. Gifts

None

List all gifts or charitable contributions made within **one year** immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON OR ORGANIZATION

RELATIONSHIP TO DEBTOR, IF ANY

DATE OF GIFT

DESCRIPTION AND VALUE OF GIFT

#### 8. Losses

None

List all losses from fire, theft, other casualty or gambling within **one year** immediately preceding the commencement of this case **or since the commencement of this case.** (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DESCRIPTION AND VALUE OF PROPERTY DESCRIPTION OF CIRCUMSTANCES AND, IF LOSS WAS COVERED IN WHOLE OR IN PART BY INSURANCE, GIVE PARTICULARS

DATE OF LOSS

#### 9. Payments related to debt counseling or bankruptcy

None

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of the petition in bankruptcy within **one year** immediately preceding the commencement of this case.

NAME AND ADDRESS OF PAYEE

Kight Law Office, PC 7 Orchard Street, Suite 100 Asheville, NC 28801 DATE OF PAYMENT, NAME OF PAYOR IF OTHER THAN DEBTOR 02/09/2012. AMOUNT OF MONEY
OR DESCRIPTION AND VALUE
OF PROPERTY
\$10,000

#### 10. Other transfers

None

None

a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within **two years** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF TRANSFEREE.

RELATIONSHIP TO DEBTOR DATE
e Brothers 2010

trust or similar device of which the debtor is a beneficiary.

DESCRIBE PROPERTY TRANSFERRED AND VALUE RECEIVED 4 trailers (\$28,000)

Ritchie Brothers 2718 Salisbury Highway

Statesville, NC 28677-1160

3rd party purchaser

February 2012

2007 Kenworth semi-truck (\$46,000) 2 trailers (\$18,000)

b. List all property transferred by the debtor within **ten years** immediately preceding the commencement of this case to a self-settled

NAME OF TRUST OR OTHER

DEVICE

DATE(S) OF TRANSFER(S) AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY OR DEBTOR'S INTEREST IN PROPERTY

#### 11. Closed financial accounts

None

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within **one year** immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF INSTITUTION

TYPE OF ACCOUNT, LAST FOUR DIGITS OF ACCOUNT NUMBER, AND AMOUNT OF FINAL BALANCE

AMOUNT AND DATE OF SALE OR CLOSING

#### 12. Safe deposit boxes

None

List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF BANK OR OTHER DEPOSITORY NAMES AND ADDRESSES OF THOSE WITH ACCESS TO BOX OR DEPOSITORY

DESCRIPTION OF CONTENTS

DATE OF TRANSFER OR SURRENDER, IF ANY

#### 13. Setoffs

None

List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within **90 days** preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR

DATE OF SETOFF

AMOUNT OF SETOFF

#### 14. Property held for another person

None

List all property owned by another person that the debtor holds or controls.

NAME AND ADDRESS OF OWNER

DESCRIPTION AND VALUE OF PROPERTY

LOCATION OF PROPERTY

#### 15. Prior address of debtor

None

If the debtor has moved within **three years** immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

ADDRESS NAME USED DATES OF OCCUPANCY

#### 16. Spouses and Former Spouses

None

If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within **eight years** immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

**NAME** 

#### 17. Environmental Information.

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law

None

a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

SITE NAME AND ADDRESS

NAME AND ADDRESS OF

DATE OF

**ENVIRONMENTAL** 

LAW

GOVERNMENTAL UNIT

NOTICE

None b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous

Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

SITE NAME AND ADDRESS

NAME AND ADDRESS OF

DATE OF

**ENVIRONMENTAL** 

the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the

NOTICE LAW

GOVERNMENTAL UNIT

c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which

docket number.

NAME AND ADDRESS OF GOVERNMENTAL UNIT

DOCKET NUMBER

STATUS OR DISPOSITION

#### 18. Nature, location and name of business

None 

None

a. If the debtor is an individual, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within six years immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within six years immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within six years immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within six years immediately preceding the commencement of this case.

> LAST FOUR DIGITS OF SOCIAL-SECURITY OR OTHER INDIVIDUAL TAXPAYER-I.D. NO.

ADDRESS (ITIN)/ COMPLETE EIN

NATURE OF BUSINESS

**BEGINNING AND** 

**Ledford Tire &** 

56-1388004

5208 East US Highway 19E

Trucking & Hauling

**ENDING DATES** 

Trucking, Inc.

Burnsville, NC 28714

None b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

NAME

**ADDRESS** NAME

The following questions are to be completed by every debtor that is a corporation or partnership and by any individual debtor who is or has been, within six years immediately preceding the commencement of this case, any of the following: an officer, director, managing executive, or owner of more than 5 percent of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership, a sole proprietor, or self-employed in a trade, profession, or other activity, either full- or part-time.

(An individual or joint debtor should complete this portion of the statement only if the debtor is or has been in business, as defined above,

	years immediately pre the signature page.)	ceaing the commencement of this case. A debtor who has	s not been in business within those six years should go
	19. Books, records	and financial statements	
None		ers and accountants who within <b>two years</b> immediately pang of books of account and records of the debtor.	receding the filing of this bankruptcy case kept or
Paul Ba Main St	0 ,		DATES SERVICES RENDERED 1992-present
None		dividuals who within the <b>two years</b> immediately precedids, or prepared a financial statement of the debtor.	ng the filing of this bankruptcy case have audited the book
NAME		ADDRESS	DATES SERVICES RENDERED
None		dividuals who at the time of the commencement of this c of the books of account and records are not available, ex	ase were in possession of the books of account and records plain.
NAME		ADDR	ESS
None		nstitutions, creditors and other parties, including mercant within <b>two years</b> immediately preceding the commencer	ile and trade agencies, to whom a financial statement was nent of this case.
NAME A	AND ADDRESS		DATE ISSUED
	20. Inventories		
None		ne last two inventories taken of your property, the name on and basis of each inventory.	f the person who supervised the taking of each inventory,
DATE O	F INVENTORY	INVENTORY SUPERVISOR	DOLLAR AMOUNT OF INVENTORY (Specify cost, market or other basis)
None	b. List the name and	address of the person having possession of the records o	f each of the two inventories reported in a., above.
DATE O	F INVENTORY	NAME AND ADE RECORDS	PRESSES OF CUSTODIAN OF INVENTORY
	21 . Current Partne	ers, Officers, Directors and Shareholders	
None	a. If the debtor is a p	artnership, list the nature and percentage of partnership i	nterest of each member of the partnership.
NAME A	AND ADDRESS	NATURE OF INTEREST Owner	PERCENTAGE OF INTEREST <b>100%</b>

5208 East US Highway 19E Burnsville, NC 28714

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				:
None	b. If the debtor is a corporation, l controls, or holds 5 percent or mo			and each stockholder who directly or indirectly owns, poration.
NAME	AND ADDRESS	TITLE		NATURE AND PERCENTAGE
Gene L		TITLE President		OF STOCK OWNERSHIP  100% equity shares
974 Bea	ar Wallow Road ille, NC 28714	resident		10070 equity shares
	,			
	22 . Former partners, officers, o	lirectors and shareholders		
None	a. If the debtor is a partnership, li commencement of this case.	st each member who withdr	ew from the partne	rship within <b>one year</b> immediately preceding the
NAME		ADDRESS		DATE OF WITHDRAWAL
None	b. If the debtor is a corporation, l immediately preceding the comm		whose relationship	with the corporation terminated within one year
NAME A	AND ADDRESS	TITLE		DATE OF TERMINATION
	23 . Withdrawals from a partne	rship or distributions by a	corporation	
None				credited or given to an insider, including compensation perquisite during <b>one year</b> immediately preceding the
OF REC	& ADDRESS IPIENT, IONSHIP TO DEBTOR	DATE AND OF WITHD		AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY
	24. Tax Consolidation Group.			
None				umber of the parent corporation of any consolidated n six years immediately preceding the commencement
NAME (	OF PARENT CORPORATION			TAXPAYER IDENTIFICATION NUMBER (EIN)
-	25. Pension Funds.			
None				on number of any pension fund to which the debtor, as an mediately preceding the commencement of the case.
NAME (	OF PENSION FUND			TAXPAYER IDENTIFICATION NUMBER (EIN)
				F CORPORATION OR PARTNERSHIP
	under penalty of perjury that I have hey are true and correct to the best of			tement of financial affairs and any attachments thereto
Date F	ebruary 9, 2012	Signature	/s/ Gene Ledfo	rd
			Gene Ledford President	

[An individual signing on behalf of a partnership or corporation must indicate position or relationship to debtor.]

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571

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In 1	e Ledford Tire	& Tru	cking, Inc.			Ca	ise No.	
	-				Debtor(s)	Ch	apter	11
			OSURE OF CO					
1.	compensation paid be rendered on beha	to me alf of t	within one year before he debtor(s) in contemp	the filing of the plation of or in co	petition in bankru onnection with the	uptcy, or agreed to bankruptcy case	o be paid	the above-named debtor and that d to me, for services rendered or to lows:
	For legal servi	ces, I l	nave agreed to accept			\$		10,000.00
	Prior to the fil	ing of 1	this statement I have re	ceived		\$		10,000.00
	Balance Due					\$		0.00
2.	The source of the co	ompen	sation paid to me was:					
	Debtor		Other (specify):					
3.	The source of comp	ensatio	on to be paid to me is:					
	■ Debtor		Other (specify):					
4.	■ I have not agree	ed to sl	nare the above-disclose	ed compensation	with any other per	rson unless they a	re memb	pers and associates of my law firm.
			the above-disclosed co					or associates of my law firm. A ched.
5.	In return for the ab	ove-di	sclosed fee, I have agre	ed to render lega	al service for all as	pects of the bank	ruptcy c	ase, including:
								file a petition in bankruptcy;
			of any petition, scheduled debtor at the meeting of					rings thereof
	d. [Other provision	ns as no	eeded]					
								preparation and filing of ons pursuant to 11 USC
			avoidance of liens				oo	one paredam to 11 000
6.	By agreement with	the del	otor(s), the above-discl	osed fee does not	t include the follo	wing service:		
			n of the debtors in a ersary proceeding.	any discharge	ability actions,	judicial lien av	oidance	es, relief from stay actions or
				CERT	TIFICATION			
this	I certify that the for bankruptcy proceed		is a complete statemer	nt of any agreeme	ent or arrangemen	t for payment to r	ne for re	presentation of the debtor(s) in
Date	ed: February 9,	2012			/s/ D. Rodney	Kight, Jr.		
					D. Rodney Kig	ght, Jr. 26453		
					Kight Law Off 7 Orchard Str			
					Suite 100			
					Asheville, NC	· 28801 1 Fax: (828) 2	55 <b>-</b> 022	3
					info@kightlav		JJ-300(	•

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Western District of North Carolina							
In re Ledford Tire & Trucking, Inc.		Case No.					
	Debtor	, Chapter	11				
	F EQUITY SECURITY						
Following is the list of the Debtor's equity security	holders which is prepared in accor	dance with Rule 1007(a)	(3) for filing in this chapter 11 c.				
Name and last known address or place of business of holder	Security Class	Number of Securities	Kind of Interest				
Gene Ledford 974 Bear Wallow Road Burnsville, NC 28714	Common	100%	Equity				
DECLARATION UNDER PENALTY (  I, the President of the corporation nation foregoing List of Equity Security Holders	amed as the debtor in this case,	declare under penalty	of perjury that I have read the				
Date	G	Signature /s/ Gene Ledford Gene Ledford President					
Penalty for making a false statement or conce	ealing property: Fine of up to \$ 18 U.S.C §§ 152 and 35	-	ent for up to 5 years or both.				

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In re	Ledford Tire & Trucking, Inc.		Case No.	
		Debtor(s)	Chapter	
	VERIFICA	ATION OF CREDITOR	MATRIX	
l, the Pr	resident of the corporation named as the del	btor in this case, hereby verify that the	ne attached list of	creditors is true and correct to
he best	of my knowledge.			
Date:	February 9, 2012	/s/ Gene Ledford		
		Gene Ledford/President		
		Signer/Title		

Bud's Auto Main Street Burnsville, NC 28714

Caterpillar Financial Services 2120 West End Avenue Nashville, TN 37203-5341

Caterpillar Financial Services P.O. Box 905561 Charlotte, NC 28290-5561

Centura Bank 134 N. Church Street Rocky Mount, NC 27804

Comdata Network 5301 Maryland Way Brentwood, TN 37027

Gene & Brenda Ledford 5208 East US Hwy 19E Burnsville, NC 28714

Gene and Brenda Ledford 974 Bear Wallow Road Burnsville, NC 28714

Goodyear P.O. Box 9025 Des Moines, IA 50368

IRS P.O. Box 7346 Philadelphia, PA 19101-7346

IRS 320 Federal Place Greensboro, NC 27401

North Carolina Department of Revenue Bankruptcy Unit P.O. Box 1167 Raleigh, NC 27602 TD Bank 200 College Street Asheville, NC 28801

Truck Pro, Inc. 1610 Century Center Parkway, Suite 107 Memphis, TN 38134

United Community Bank 291 E US Highway 19 Burnsville, NC 28714

US Attorney 100 Otis Street Room 233 Asheville, NC 28801

Van Winkle Law Firm Attn Albert Sneed PO Box 7376 Asheville, NC 28802

Yancey County Tax Collector 110 Town Square, Room 1 Burnsville, NC 28714 Case 12-10115 Doc 1 Filed 02/09/12 Entered 02/09/12 20:12:40 Desc Main Document Page 34 of 34

In re _ Ledford Tire & Trucking, Inc.		Case No.			
	Debtor(s)	Chapter			
CORPORATE (	OWNERSHIP STATEMENT (	<b>RULE 7007.1</b> )			
Pursuant to Federal Rule of Bankruptcy Proce or recusal, the undersigned counsel for <u>Ledfordial</u> Ledfordial (are) corporation(s), other than more of any class of the corporation's(s') equiv	ord Tire & Trucking, Inc. in the a	above captioned it, that directly o	action, certifies that the or indirectly own(s) 10% or		
■ None [Check if applicable]					
February 9, 2012	/s/ D. Rodney Kight, Jr.				
Date	D. Rodney Kight, Jr. 26453				
	Signature of Attorney or Litigant Counsel for Ledford Tire & Trucking, Inc.				
	Kight Law Office	3, -			
	7 Orchard Street Suite 100				
	Asheville, NC 28801				
	(828) 255-9881 Fax:(828) 255-98 info@kightlaw.com	86			